

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
CINCINNATI DIVISION**

**HUNTER DOSTER, *et al.*,**

*Plaintiffs,*

v.

**FRANK KENDALL, *et al.*,**

*Defendants.*

No. 1:22-cv-00084  
Hon. Matthew W. McFarland

**DEFENDANTS' REPLY IN SUPPORT OF DEFENDANTS' MOTION TO STAY**

Defendants filed their motion to stay on May 14, 2024. ECF No. 134. Plaintiffs filed their response on May 23, 2024. ECF No. 135. Defendants do not intend to file a reply and stand on their motion.

Accordingly, for the reasons stated in their original motion, Defendants respectfully request that this Court stay briefing on attorneys' fees, including Defendants' deadline to respond to Plaintiffs' motion for fees, until after the resolution of Plaintiffs' appeal and the Supreme Court's resolution in *Lackey v. Stinnie*, No. 23-621 (2024). Alternatively, if the Court is not inclined to grant a stay, Defendants respectfully request that the Court grant Defendants an extension of twenty-one days from the date of this Court's order denying the stay to respond to Plaintiffs' motion for fees.<sup>1</sup> Absent a stay or the requested extension, Defendants' response to Plaintiffs' motion for fees would be due on May 29, 2024.

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<sup>1</sup> Plaintiffs' opposition does not provide any argument in opposition to this alternative request. See generally ECF No. 135.

Dated: May 23, 2024

Respectfully submitted,

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Principal Deputy Assistant Attorney General  
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*/s/ Cassandra M. Snyder*  
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**CERTIFICATE OF SERVICE**

I hereby certify that on May 23, 2024, I electronically filed the foregoing paper with the Clerk of Court using this Court's CM/ECF system, which will notify all counsel of record of such filing.

/s/ Cassandra M. Snyder

Cassandra M. Snyder